

IV

Courtroom

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STANDARD

I. Courtroom Size

The minimum mandatory size for a jury trial courtroom should be 1,500 square feet, configured in a rectangular format of no less than 34 feet wide and 45 feet long.

The court should be divided into two areas: A litigation area of a minimum of 1,000 square feet, and a public area of 500 square feet with seating for at least 45 persons.

a. Functional Dimensions

- (1) **Constitutional right of confrontation:** The defendant in a criminal proceeding should be able to see and hear the witness, jury, judge, and counsel.
- (2) **Protection against witness intimidation:** A victim and/or witness should testify from a point with at least 12 feet of separation from the examiner and 20 feet from the defendant.

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- (3) **Jury sight lines:** The jury should be placed so that all members can see and hear the proceedings. Jurors farthest from the witness will see the prosecutor in profile when he or she is seated.
- (4) **Counsel separation:** Counsel seated at table should be no closer than 6 feet from the front rank of jurors.
- (5) **Sidebar privacy:** Conferences between the court and counsel at the sidebar should be conducted on the side of the litigation area opposite the jury or a minimum of 18 feet from the jury.
- (6) **Seating inside bar:** A single row of seats should be placed inside the litigation area and against the bar for attorneys, investigators, paralegals, and others to assist counsel with the conduct of the proceedings.
- (7) **Placement of clerk's station:** The clerk's station should be adjacent to the bench and accessible to counsel for the marking and introduction of exhibits. The clerk should be sufficiently close to hand the judge exhibit papers and files.
- (8) **Bailiff's station:** The bailiff's station should be positioned within the litigation area to the rear just in front of the bar.
- (9) **Counsel tables:** Two tables, 3 feet by 7 feet, should be included for counsel.
- (10) **Ceiling heights:** Ceiling heights in courtrooms should be proportional to the room. The height in a standard courtroom should be 12–14 feet.

b. **Functional Dimensions for Courtrooms to Be Used for High-Volume Departments and Large Calendars**

Certain elements of the functional requirements should be enlarged as follows:

- (i) **Placement of litigation area and dimensions:** In high-volume departments, clerks, probation officers, calendar secretaries, district attorneys, and public defender

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personnel require an additional five lineal feet of work area near the clerks' stations.

- (2) **Public seating:** Seating should be added, by row, to accommodate the friends, family, witnesses, and others attending the proceedings.
- (3) **Maximum size:** No court should exceed 2,500 square feet, except for special courts created to handle megacourt trials.
- (4) **Ceiling heights:** Ceiling heights for large courtrooms should be 14–16 feet, except for megacourts.

To accommodate multiple parties in juvenile court cases and the need for numerous attorneys and large numbers of files and paperwork, space for an additional row of chairs or bench-type seating should be provided behind counsel tables.

In considering the size of a courtroom, it is helpful to divide the courtroom into two main areas: the litigation area in front of the bar, and the spectator area. The litigation area* of most courtrooms, and thus the standard-sized courtroom, will be approximately of a size to accommodate the judge's bench, clerk and reporter stations, witness box, jury box, and counsel tables. In some specialized situations, such as a nonjury courtroom or a high-volume courtroom that would need more than two clerks, a slightly larger litigation area would be provided.

The main difference in the size of the courtroom depends on the need to provide spectator seating. This need is satisfied in a civil courtroom with very few seats if the voir dire is conducted elsewhere and seats are not needed for all prospective jurors. At the other extreme, in arraignment courts with a high volume of spectators and defendants, many seats must be provided.

The ratio of standard courtrooms to large courts is a matter of court policy and management. Generally, municipal courts will have a greater number of large calendar courts than will superior courts.

* The litigation area is to be distinguished from the well. The well is within the litigation area and is generally defined as being the area between the front of the judge's bench and the clerk's work area (depending upon the location of the workstation) to the edge of counsel tables.

STANDARD**2. Acoustics and Audibility**

It is essential to provide acoustical conditions that allow both communication between participants and accurate recording of court proceedings.

Ensuring audibility requires acoustical engineering that permits all public conversation to be heard by all participants yet provides for confidential conversation not intended to be heard—for example, bench conferences, and attorney and client conferences.

a. Sound Amplification System

A modern sound amplification system should be provided in every courtroom. Sound amplification equipment should be planned for, and conduit should be run to preplanned areas through the floors or walls.

b. Sound Locks

Every courtroom and secured area adjoining a courtroom should have sound locks. By designing the sound lock so that one set of doors will generally be closed before the other set is opened, noise transmission levels from public waiting or circulation spaces can be minimized. The courtroom doors should have a small window.

c. Soundproofing

Soundproofing of external and internal walls with the appropriate absorption material is essential in courtrooms, jury deliberation rooms, grand jury rooms, and chamber spaces. Soundproofing should be used between courtrooms, interview rooms, and surrounding spaces.

d. Audibility

Courtrooms should be designed with superior acoustics and should include a movable microphone and normal amplification and/or a public address system for larger courtrooms, with special sound transmission for public and security areas when required.

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Two acoustical goals are appropriate for courtrooms:

- (1) Every participant should be able to hear every other participant.
- (2) Bench conferences and confidential conferences between attorneys and clients should not be heard by other participants present in the courtroom.

Sound reflective materials should be minimized to avoid excessive sound fluttering.

e. Noise Reduction

Courtroom interiors should be designed to minimize acoustical problems. Features such as soundproofing, double-door vestibules from public corridors and holding areas, and carpeting should be used to reduce the extraneous noise within the courtroom. Consideration should be given to bench conferences being heard by the jury, and noise from corridors and from holding cells.

f. Hearing Impaired and Interpreter Needs

Sound systems should accommodate persons who are hearing impaired and those who need interpreters as required by Civil Code section 54.8 and Evidence Code section 754 [see Appendix A, pages 88–90].

3. Courtroom Lighting

STANDARD

Courtroom participants should be able to see proceedings clearly. Adequate lighting should be provided, with court personnel able to make necessary adjustments within the courtroom.

Comment

Adequate lighting should be provided, with greater intensification in the litigation area. Changes in lighting are needed for displaying evidence, showing films, or using overhead projectors. Court personnel should be able to make the necessary adjustments from their stations with a minimum of movement.

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Referring herein to Section III.12., Lighting, the minimum foot candles recommended are as follows:

Courtroom Litigation Area	75–90
Courtroom Public Area	30
Courtroom Conference Room	50

These specifications are subject to review by a lighting engineer.

STANDARD**4. Adequate Cooling, Heating, and Ventilation**

Each courtroom should have separate thermostatic controls for uniform air conditioning, heating, and ventilating and be designed in such a manner as dictated by sound health and comfort standards. Controls should be in reach of court personnel to prevent distractions. Courtrooms should be designed to ensure that air discharge is not directed onto personnel.

Comment

The maintenance of suitable environmental conditions within the courtroom is an important consideration. A courtroom that is not adequately cooled, heated, or ventilated will have an adverse effect upon the participants.

STANDARD**5. Separate Entrances for Public, Judge, Jury, and Prisoners**

A new court facility should provide for three distinct populations:

- (1) public, comprising the general public, attorneys, litigants, witnesses, and press;
- (2) restricted or private, comprising judges, jurors, court personnel, attorneys, and parties on a controlled basis; and
- (3) secure, including prisoners, detention officers, and bailiffs.

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Separate circulation patterns, entrances, and elevators should be provided to maintain the distinctions and promote court security. Separate entrances into the courtroom should be provided for each population group.

Separate access and entrances into each courtroom should be as limited as possible and carefully located near the appropriate areas for each courtroom participant. The public should enter through a single public vestibule to provide separation from courtroom activities, as well as for security purposes. Prisoners should enter from the holding area through a passageway located near the bailiff's station and defendant's attorney table pursuant to California Code of Regulations, title 15, section 1105(b)–(c) (see Appendix A, page 81). Juror access to the jury deliberation room should be located adjacent to the jury box.

6. Physical Barriers Between Working and Viewing Areas

STANDARD*Comment*

The public should be provided an area within clear viewing and hearing of the litigation area. The public area should be separated from the litigation area by a traditional and symbolic bar or barrier to control movement of the public to and from the litigation area.

In some courtrooms the bar should be able to structurally support glass. Gates are optional. Consideration should be given to accessibility for the handicapped.

STANDARD**7. Bench**

The judge's bench should be located with a commanding view of the litigation area and each participant.

a. Elevation/Sight Lines

The bench should be proportionate to the size and height of the courtroom, assuring an unobstructed view of the entire courtroom. The judge's eye level, when he or she is seated, should be higher than any other participant or spectator, standing or seated.

b. Work Surface

The judge's bench should include a desk writing area, flat or sloped, with a 3- to 4-inch privacy screen in front.

c. Physical Dimensions/Characteristics

A minimum of 80–120 square feet is recommended for the judge's bench area, with 5 feet between the judge's desk and back wall to allow the judge to move his or her chair for sidebar conferences, to reach for reference books, and to move in a dignified fashion to and from the bench. The sides of the bench should be symmetrically lowered to facilitate the transfer of documents and verbal communication with the court clerk and court reporter, as well as to provide clear lines of sight to the witness.

d. Executive Armchair

The bench should be constructed to provide sufficient space to accommodate an executive armchair.

e. Special Utilities

The bench should receive special lighting for reading or examining documents. The desk area should be able to accommodate a computer, computer keyboard or tray, storage, phone, and outlets for data transmission. The bench should have a concealed, silent duress alarm that will directly alert the courthouse security station. If wired,

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the system must be operable during a power outage. The bench should be equipped with a microphone with a mute button. (See also Section IV.20., Electrical Outlets and Raceways.)

f. Bench Security

Each bench should be constructed of or lined with a nonricochet, projectile-resistant material.

8. Court Clerk's Station

STANDARD

The court clerk's station should be a minimum of 10 feet in length and 3 feet in width, and should accommodate two clerks. It should be adjacent to the bench and provide adequate work space. Surface space is required for normal desk duties, but additional requirements must be considered for a variety of electronic equipment, such as computer, keyboard, printer, VCR, electronic recording equipment, etc.

a. Work Shelf

A 12-inch-wide shelf should be included as a part of the clerk's workstation. The shelf is for privacy and security, and is a place for signing documents, marking and exchanging exhibits, and exchanging documents with attorneys.

b. Equipment

The station should be made cable-ready for in-courtroom computer terminals and have multiple telephone and electrical outlets. It should have the same duress alarm/intercom system as the judge, with a suitably placed duress alarm button. Use of computer equipment and printers should not interfere with courtroom proceedings.

Comment

The clerk's workstation should be generous in the space provided. Room is required to accommodate electronic computer equipment as well as a place to work, and generous space should allow for files and forms storage.

9. Court Reporter's Area

STANDARD

The court reporter's area should be situated so that all remarks made by participants can be heard and all participants are in clear view.

a. Court Reporter's Workstation

The court reporter's work area should include adequate electrical wiring requirements for multiple use—for example, electronic recording, video, and Computer Assisted Transcription (see Section IV.20., Electrical Outlets and Raceways)—and should include a work surface of at least 24 inches with a lockable drawer for storage and a modesty panel.

b. Accommodations at Judge's Bench

A small pullout shelf should be incorporated into the outer design of the judge's bench for sidebar conversations, to facilitate the short-hand machine or a microphone, and as a writing surface for an electronic recording monitor.

10. Bailiff's Station

STANDARD

The bailiff(s) should be able to see all participants and the public at a location that provides for effective performance of duties, particularly courtroom security and safety of occupants.

The bailiff's station should provide comfortable seating, a work surface, and a lockable desk suitable for storage of firearms and ammunition. A silent duress alarm button and a telephone equipped with a flashing light rather than a ringer are required. In large-volume courtrooms, workstations should be provided for two or more bailiffs.

Comment

The role of the bailiff varies with the type of court and type of cases heard, which affect where the bailiff is required to be stationed. An electronic signaling system is needed between the bailiff's station and the particular jury room being used for deliberation.

STANDARD

II. Witness Stand

The witness stand should be located so that the witness is in clear facial view of the judge, jury, parties, court reporter, and counsel to ensure that all verbal and nonverbal communication is conveyed to all participants. The witness stand should include comfortable seating for at least two persons. The seating should be capable of easy removal to accommodate witnesses who are handicapped—for example, in wheelchairs. The witness stand should accommodate child witnesses. A desk area should be provided for the witness, and a shelf should extend from the front of the box on which attorneys can rest files or evidence. A nonobtrusive, nonthreatening, secured microphone should be provided.

a. Movable Unit

Strong consideration should be given to a movable unit, allowing enough space in the box for two individuals to be seated.

b. Provisions for Interpreter

Provisions should be made for the recordation of interpreters at the witness stand.

c. Modesty Panel

A modesty panel should be provided.

Comment

The traditional location of the witness is adjacent to the judge and jury. The trial of some cases would be enhanced if the box were located across from the jury. Some judges may prefer a different location. The witness shelf is to ensure an adequate nonencroachment distance between the witness and attorneys.

Particular attention should be given to accommodating interpreters or support persons as addressed in Welfare and Institutions Code sections 346 and 676 and Penal Code section 868.5 (see Appendix A, pages 95 and 99–101). Space is to be provided for a second seat next to the witness, which does not block the view of the witness.

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Young children, especially victim witnesses, are greatly intimidated by the courtroom setting. Every attempt should be made to avoid unduly exacerbating this problem by the use of threatening equipment. The typical long, goose-necked microphone extended towards the witness should be avoided. In its place should be an unobtrusive instrument that performs its function without the witness knowing it is there.

STANDARD

12. Jury Box

The jury box should be prominently placed in a courtroom to facilitate the jurors' understanding of court proceedings. Provisions should be made to protect jurors from public harassment and from overhearing attorney-client exchanges.

a. Sight Lines

The jury box should be positioned for clear sight lines for each juror to the witness, counsel, judge, and evidence display areas. The first row of jurors should be at floor level for handicapped access.

b. Audibility

The jury box should be situated so that all jurors can clearly hear all court participants.

c. Physical Separation

Some means should be provided to prevent communication between jurors and the public. Jurors should be adequately separated from attorneys and litigants by a minimum of 6 feet to prevent overhearing private conversations. Where there is insufficient space to allow for 6 feet of separation between jurors and public, some form of physical separation is required (e.g., a Plexiglas panel).

d. Access

The jurors should not use the public corridor when going to and from the jury deliberation room.

e. Microphone Outlet

A microphone outlet should be incorporated for voice amplification or for use if proceedings are being electronically recorded.

f. Physical Dimensions

The jury box should accommodate 14 jurors, provide for handicapped juror(s), and be two-tiered. It should not extend past either the witness box or the attorneys' tables. The box should have a modesty panel approximately 30 inches in height. Its total space should be approximately 8 feet by 16 feet, or 130 square feet. The floor level of the higher tier should be lower than that of the judge's bench.

Comment

Consideration may be given to a three-tiered jury box where space or design constraints warrant—for example, in a renovation.

g. Comfortable Chairs

Comfortable chairs are necessary for jurors. If possible, writing surfaces should be provided. Jurors' chairs should be fixed and spaced to ensure that chair arms do not collide when swiveled or tilted, to provide sufficient aisle space in front of each row of seats, and to ensure that they do not strike the rear wall.

h. Modular Components

Courtrooms should include modular components to allow for multi-use whenever possible—for example, the jury box, witness stand, and counsel tables.

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i. Special Needs, Including Sign Language and Interpreters

Special needs, including sign language, interpreters, and Telecommunication Devices for the Deaf (TDD), should be considered as required by Civil Code section 54.8 and Evidence Code section 754 [see Appendix A, pages 88–90].

j. In-Custody Area

High-volume custodial courts may incorporate design elements in the jury box to secure the safety of the public, staff, and court personnel, and to enhance the secure movement of prisoners.

Juvenile courtrooms should be designed with expansion space necessary to accommodate a jury box, should the need arise. This space can be used for additional counsel tables or workstations until there is a need for construction of the jury box.

13. Counsel Tables

At least two tables that seat a minimum of four persons at each table should be provided in the courtroom. The tables should be a minimum of 3 feet by 7 feet. They should be movable, but a method to secure the tables should be provided. Counsel tables should be equally positioned in relation to the bench. The distance between the back of the attorney chairs and the public railing should be approximately 5 to 6 feet to accommodate comfortably an additional row of chairs along the railing for staff, paralegals, or other involved parties. Provisions should be made to conceal any method of restraint of the defendants.

a. Lectern

A movable lectern with a microphone should be available in the courtroom.

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b. Microphones and Equipment

The sound amplification system should have recessed outlets for microphones at the attorneys' tables. Provisions should be made for both present and future power, data, computer, and telephone needs at the tables.

c. Chairs

Counsel table chairs should be comfortable and movable. Preliminary and arraignment hearing departments should provide for secure seating to allow for restraint of prisoners.

d. Interpreter Recordation Provisions

Provisions should be made for the recordation of interpreters at the counsel table; however, measures should be made so as to provide confidentiality between counsel and client.

Comment

1. Positioning

The counsel tables and their placement should enhance the attorneys' courtroom work and movement throughout the litigation area. The tables' positioning should ensure that litigants are in full view of the judge, court reporter, bailiff, witness, and jury.

2. Adequate Distance from Public and Jury

Attorneys and litigants should be able to confer in private at their stations without being overheard by jurors, opposing attorneys, opposing litigants, or others in the courtroom.

14. Display Area and Equipment

STANDARD

Each courtroom should have an exhibit display facility. Exhibit displays must be clearly seen by all court participants. The display area should be furnished with a permanent display board capable of preserving information, magnetic tack/bulletin board, bracket for a video monitor, overhead document projector and screen with outlet, and X-ray shadowbox with outlet. When not in use, the equipment should be stored out of sight.

15. Public Area

STANDARD

The public should be provided an area within clear view and hearing of the litigation area. The public area should be separated from the litigation area in a manner that controls movement and sound of the public to and from the litigation area. The public area is to be separated from the litigation area by a rail or bar, movable whenever possible. Swinging gates are not required. Public seating in public areas should either be fixed or of heavy and durable construction to avoid their being moved or used as weapons during emergencies. Public seating should be adequate and comfortable. Spaces should be reserved in public seating for wheelchairs. Public seating in high-volume and juvenile courts requires the use of more durable materials.

Comment

To allow for variations in the number of people to be accommodated, the movable railing should permit removal or addition of one row of spectator chairs or benches.

16. Courtroom Conference Rooms

STANDARD

Each courtroom should have two multipurpose witness/waiting/attorney conference rooms adjacent to the courtroom within the sound lock directly accessible from the vestibule.

Comment

Conference rooms should be made available whenever conferences are needed. Attorneys need to meet with witnesses and clients before and during trial to discuss matters in private. An adequate number of small rooms for multi-purpose conferencing should be provided for each courtroom.

Multiple small conference areas should be designed as part of the arraignment and/or high-volume courtrooms. These conference areas provide a place for attorneys to conduct semi-private interviews with their clients, in a place where the attorney is still able to hear the court proceedings. These small conference areas should be designed to allow an attorney to hear the proceedings but minimize the disturbance to the court. Alcoves along the walls that are open to the main seating area but have sound-dampening materials to minimize the sound of conversations may serve this purpose.

17. Storage Closet for Exhibits

STANDARD

There should be a secure evidence locker in or immediately adjacent to the courtroom for the temporary storage of evidence—except for weapons, contraband, or toxics (i.e., evidence or exhibits that represent a health hazard to participants), which are provided for herein under Section V.8.e., Exhibit Storage Area (Vault). A storage area must be provided for large exhibit boards and the area must be accessible to attorneys during proceedings.

Comment

Each courtroom should have a storage closet where items may be secured by the clerk or bailiff during recesses. The storage location in the courtroom reduces the time needed to retrieve exhibits.

18. Clock

STANDARD

A wall clock should be located on the wall behind the jury box in each courtroom.

Comment

A wall clock should be part of courtroom furnishings, guaranteeing that the judge and all participants can monitor the time.

STANDARD**19. Audio, Video, and Electronic Technology**

Electronic, video, and audio technologies should be provided for in the courtrooms and chambers. At a minimum, conduit and raceways should be adequate for:

- teleconferencing;
- video arraignment; and
- electronic recording.

STANDARD**20. Electrical Outlets and Raceways**

Electrical outlets and raceways should be provided in anticipated locations for projectors, computers, videocassette players, television monitors and video and sound recording systems, facsimile machines, and state-of-the-art reproduction facilities.

Comment

Raceways that allow for additional wire to be pulled are essential to the long-term technological usefulness of the system. Provisions should be made for the playback of prerecorded materials.